Tajalle v. City of Seattle et al Doc. 14

The Honorable Thomas S. Zilly

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

JUAN TAJALLE, Plaintiff, vs. CITY OF SEATTLE, SEATTLE PUBLIC LIBRARY, OFFICER SAM 8, a.k.a. JOHN DOE #1, and JOHN DOE #2, Defendants.	No. C07 1509TSZ DECLARATION OF ULYSSES RAMBAYON

Ulysses Rambayon, under penalty of perjury under the laws of the State of Washington, states as follows:

1. I was employed as a security officer at the Seattle Public Library from January 2002 to December 2007. Previously, I was a military policeman in the U.S. Navy. I am currently a police officer/ federal law enforcement officer.

2. On June 14, 2005, I was on duty at the Library's Fourth Avenue Security desk with security officer David Adams. At about 3:15 p.m., I observed a patron, who I later learned was Juan Tajalle, harass another patron with loud and profane language in front of the elevators.

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The other patron had said "Gesundheit" when Mr. Tajalle sneezed loudly. Mr. Tajalle blocked the other patron's way, and shouted, "Are you fucking with me?" When the other patron moved away, Mr. Tajalle looked at Officer Adams, next to me at the desk, and shouted, "What are you smiling at?" Officer Adams did not answer, and Mr. Tajalle approached the desk, shouting "Why are you fucking with me?" and "What the fuck are you laughing at?" Officer Adams told Mr. Tajalle that the Library's rules of conduct forbid loud and obscene language.

3. I asked Mr. Tajalle what his problem was, and he became agitated, and again shouted obscenities at us. Officer Adams told him to leave the Library. Mr. Tajalle did not comply, and I said that we should go outside together to discuss the situation. I then entered the revolving door, anticipating that Mr. Tajalle would follow me. But instead of entering the next compartment of the revolving door, Mr. Tajalle jumped into the same compartment as I was in and caught his backpack between the door and the frame, causing both of us to fall down. Mr. Tajalle cried out that he had broken his arm.

4. I exited the door, leaving Mr. Tajalle on the floor inside the door, and asked Officer Adams to call 911 for assistance. A fire department medical aid unit arrived a few minutes later.

5. Officer Adams and I asked Mr. Tajalle to leave the Library because he violated the Library's Rules of Conduct by using loud, abusive, and obscene language. During the encounter with Mr. Tajalle, I observed him exhibiting aggressive and threatening behavior towards a patron, Officer Adams, and myself. My intent in asking Mr. Tajalle to leave the Library was to enforce the Library's Rules of Conduct, which forbid harassing behavior, including aggressive, threatening, and obscene language. It was not my intent to deprive Tajalle of his right to use the Library, or of any other right.

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I declare under penalty of perjury that the foregoing is true and correct.

DATED this 17 day of January, 2008, at Seattle, King County, Washington.

Ulysses Rambayon

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